

DOCKET NO.: 3DP-0544
Application No.: 10/785,436
Preliminary Amendment - First Action Not Yet Received


PATENT

REMARKS

The specification has been amended to insert the Sequence Listing that is being filed concurrently herewith. No new matter has been added.

Applicants respectfully submit that the present application is in condition for allowance. Favorable consideration and an early notice of allowance are respectfully requested.

Date: September 1, 2004


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COPY

PATENT



DOCKET NO.: 3DP-0544

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Barry A. Springer, Michael W. Pantoliano
and Celia M. Sharp

Confirmation No.: 8523

Application No.: 10/785,436

Group Art Unit: Not Yet Assigned

Filing Date: February 23, 2004

Examiner: Not Yet Assigned

For: ANALOGS OF HUMAN BASIC FIBROBLAST GROWTH FACTOR
MUTATED AT ONE OR MORE OF THE POSITIONS GLUTAMATE 89,
ASPARTATE 101 OR LEUCINE 137

EXPRESS MAIL LABEL NO: EL997979415US
DATE OF DEPOSIT: September 1, 2004

Mail Stop SEQUENCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE WITH 37 CFR §§ 1.821 THROUGH 1.825

- ☒ I hereby state, in accordance with the requirements of 37 C.F.R. §1.821(f), that the contents of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR §1.821(c) and (e), respectively are the same.
- ☒ I hereby state that the submission filed in accordance with 37 CFR §1.821(g) does not include new matter.
- ☐ I hereby state that the submission filed in accordance with 37 CFR §1.821(h) does not include new matter or go beyond the disclosure in the international application as filed.
- ☐ I hereby state that the amendments, made in accordance with 37 CFR §1.825(a), included in the substitute sheet(s) of the Sequence Listing are supported in the application, as filed, at pages . I hereby state that the substitute sheet(s) of the Sequence Listing does (do) not include new matter.
- ☐ I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(b), is the same as the amended Sequence Listing.

DOCKET NO.: 3DP-0544

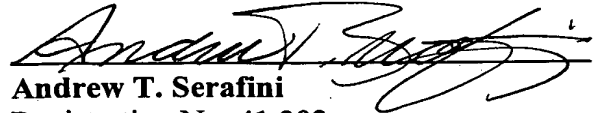
- 2 -

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I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 CFR §1.825(d), contains identical data to that originally filed.

Date: September 1, 2004


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3DP0544.ST25.txt
SEQUENCE LISTING

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Pantoliano, Michael W.
Sharp, Celia M.

<120> ANALOGS OF HUMAN BASIC FIBROBLAST GROWTH FACTOR MUTATED AT ONE OR MORE OF THE POSITIONS GLUTAMATE 89, ASPARTATE 101 OR LEUCINE 137

<130> 3DP-0544

<140> US 10/785,436

<141> 2004-02-03

<150> US 09/722,495

<151> 2000-11-28

<150> US 09/220,077

<151> 1998-12-23

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Combined Declaration and Power of Attorney for Patent Application

Docket Number: 1503.0220001/JAG/RM

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled Analog of Human basic Fibroblast Growth Factor, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on December 23, 1998;
as United States Application Number or PCT International Application Number 09/220,077; and
was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)	
_____ (Application No.)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>60/068,667</u> (Application No.)	<u>December 23, 1997</u> (Filing Date)
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_____ (Application No.)	_____ (Filing Date)
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
_____ (Application No.)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Robert G. Sterne, Esq., Reg. No. 28,912; Edward J. Kessler, Esq., Reg. No. 25,688; Jorge A. Goldstein, Esq., Reg. No. 29,021; Samuel L. Fox, Esq., Reg. No. 30,353; David K.S. Cornwell, Esq., Reg. No. 31,944; Robert W. Esmond, Esq., Reg. No. 32,893; Tracy-Gene G. Durkin, Esq., Reg. No. 32,831; Michele A. Cimbala, Esq., Reg. No. 33,851; Michael B. Ray, Esq., Reg. No. 33,997; Robert E. Sokohl, Esq., Reg. No. 36,013; Eric K. Steffe, Esq., Reg. No. 36,688; Michael Q. Lee, Esq., Reg. No. 35,239; and Steven R. Ludwig, Reg. No. 36,203.

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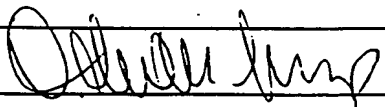
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(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Signature of second inventor x <i>Michael Pantoliano</i>	Date <i>April 12, 1999</i> x
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Signature of third inventor x		Date 04/12/99
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Citizenship x	USA	
Post Office Address x	2926 PAPRIKA RD DOYLESTOWN PA 18901	

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HLOP Rev 1/7/99

(Supply similar information and signature for subsequent joint inventors, if any)